

BARRY GOLDWATER, RIZ. CHAIRMAN
DANIEL PATRICK MOYNIHAN, N.Y. VICE CHAIRMAN
JAKE GARN, UTAH
JOHN H. CHAFFEE, R.I.
RICHARD G. LUGAR, IND.
MALCOLM WALLOP, WYO.
DAVID DURENBERGER, MINN.
WILLIAM V. ROTH, JR., DEL.
WILLIAM S. COHEN, MAINE

WALTER D. MUDDLESTON, KY.
JOSEPH R. BIDEN, JR., DEL.
DANIEL K. INOUE, HAWAII
PATRICK J. LEAHY, VT.
LLOYD BENTSEN, TEX.
SAM NUNN, GA.

United States Senate

SELECT COMMITTEE ON INTELLIGENCE
WASHINGTON, D.C. 20510

Executive Registry

84-9585/1

HOWARD H. BAKER, JR., TENN., EX OFFICIO
ROBERT C. BYRD, W. VA., EX OFFICIO

ROBERT R. SHAMONS, STAFF DIRECTOR
PETER M. SULLIVAN, MINORITY STAFF DIRECTOR

This document is the property of the Senate and remains under its control through the Select Committee on Intelligence. It is provided for limited purposes related to congressional oversight of intelligence activities, on condition that it will not be released or otherwise disseminated without permission of the Committee. Permission is granted to provide it to the Executive Branch personnel whose official duties concern its subject matter, subject to these restrictions and controls.

October 17, 1984

#84-3479

Mr. Charles A. Briggs, Director
Office of Legislative Liaison
Central Intelligence Agency
Washington, D.C. 20505

Dear Chuck:

The purpose of this letter is to provide details relating to the Committee's request (see enclosed letter from the Chairman to the DCI) for a staff briefing concerning recent press allegations that the Central Intelligence Agency produced a manual titled "Psychological Operations in Guerrilla War" for use by anti-Sandinista forces, and that this manual contains what are in effect recommendations and instructions regarding the physical elimination of selected Nicaraguan officials.

The allegations that have been made with respect to the psychological operations manual raise questions concerning compliance with sections 2.11 and 2.12 of Executive Order 12333 (December 4, 1981) which provide as follows:

2.11 Prohibition on Assassination. No person employed by or acting on behalf of the United States Government shall engage in, or conspire to engage in, assassination.

2.12 Indirect Participation. No agency of the Intelligence Community shall participate in or request any person to undertake activities forbidden by this Order.

Also relevant are: subsection 1.7(d) of Executive Order 12333, which obligates senior officials of the Intelligence Community to report to the President's Intelligence Oversight Board

Mr. Charles A. Briggs
October 17, 1984
Page Two

concerning any intelligence activities of their organizations that they have reason to believe may be unlawful or contrary to Executive order or Presidential directive;

subsection 501(a)(3) of the National Security Act of 1947, which requires the Director of Central Intelligence, inter alia, to

report in a timely fashion to the intelligence committees any illegal intelligence activity or significant intelligence failure and any corrective action that has been taken or is planned to be taken in connection with such illegal activity or failure;

and Section 4 of Executive Order 12334 (December 4, 1981), which requires Inspectors General and General Counsel of the Intelligence Community, to the extent permitted by law, to report to the President's Intelligence Oversight Board

concerning intelligence activities that they have reason to believe may be unlawful or contrary to Executive order or Presidential directive.

Among the questions that we expect the Agency to respond to are the following:

- Did the CIA produce or participate in the production of a manual for the anti-Sandinista forces titled "Psychological Operations in Guerrilla War" or any similar document?
- Where was the document written? By whom?
- Where and by whom was it printed?
- How many copies were printed and to whom were they distributed?
- What amount of funds were expended in connection with the production and distribution of the document? From what program were these funds taken?
- Who at CIA Headquarters was aware of the document? Were these individuals aware of the contents of the document?

Mr. Charles A. Briggs
October 17, 1984
Page Three

- Was the Agency's General Counsel asked for a legal opinion at the time the document was produced as to whether anything in it raised questions of legality or propriety?
- Does the document in fact contain recommendations and/or instructions regarding the assassination of selected Nicaraguan officials or other persons?
- Does the document contain language which could be interpreted as endorsing assassination?
- What is the CIA's understanding of the meaning of the word "assassination" as it is used in §2.11 of Executive Order 12333? In particular, how does the Agency define the line between assassination and paramilitary operations?
- Has the Agency's General Counsel now been asked for an opinion as to whether the document raises questions of legality or propriety, especially with respect to sections 2.11 and 2.12 of Executive Order 12333?
- If so, what conclusion has been reached by the General Counsel?
- Is the Inspector General investigating this matter?
- Have any reports been made to the Intelligence Oversight Board pursuant to Executive Order 12333 or 12334 in connection with this matter? If not, are such reports contemplated?
- Does the DCI plan to officially report this matter to the intelligence committees pursuant to subsection 501(a)(3) of the National Security Act of 1947?
(Note: The legislative history of section 501 makes clear that the obligation to report "any illegal intelligence activity" to the intelligence committees includes violations of an Executive order or Presidential directive. See page 11 of the Star Print of Senate Report 96-730).

Mr. Charles A. Briggs
October 17, 1984
Page Four

We would like to have the answers to these questions in writing prior to the briefing if possible. In any event, a transcript of the briefing will be taken. Your cooperation in this matter is appreciated. Please let me know as soon as the Agency is ready to proceed.

Sincerely,

A handwritten signature in dark ink, appearing to read "G. Chase", with a long horizontal flourish extending to the right.

Gary M. Chase
Chief Counsel

Enclosure

BARRY GOLDWATER, ARIZ. CHAIRMAN
 DANIEL PATRICK MOYNIHAN, N.Y., VICE CHAIRMAN
 JAKE GARN, UTAH
 JOHN H. CHAFFEE, R.I.
 RICHARD G. LUGAR, IND.
 MALCOLM WALLOP, WYO.
 DAVID DURENBERGER, MINN.
 WILLIAM V. ROTH, JR., DEL.
 WILLIAM S. COHEN, MAINE
 WALTER D. HUDDLESTON, KY.
 JOSEPH R. BIDEN, JR., DEL.
 DANIEL K. INOUE, HAWAII
 PATRICK J. LEAHY, VT.
 LLOYD BENTSEN, TEX.
 SAM NUNN, GA.

ER-84-9583

United States Senate

84-9585

HOWARD H. BAKER, JR., TENN., EX OFFICIO
 ROBERT C. BYRD, W. VA., EX OFFICIO

SELECT COMMITTEE ON INTELLIGENCE
 WASHINGTON, D.C. 20510

ROBERT R. SIMMONS, STAFF DIRECTOR
 PETER M. SULLIVAN, MINORITY STAFF DIRECTOR

October 17, 1984

#84-3478


The Honorable William J. Casey
 Director of Central Intelligence
 Central Intelligence Agency
 Washington, D.C. 20505

Dear Bill:

The New York Times and other newspapers have published articles over the past few days alleging that the Central Intelligence Agency produced a manual titled "Psychological Operations in Guerrilla War" for use by anti-Sandinista forces, and that this manual contains what are in effect recommendations and instructions regarding the physical elimination of selected Nicaraguan officials.

Bill, this appears to be a serious allegation that raises questions concerning compliance with the President's Executive order on intelligence activities. I would greatly appreciate it if you could provide the Committee staff with a full briefing on this matter as soon as possible.

Sincerely,


 Barry Goldwater
 Chairman